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COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

D. T. E File #00-105

MASSACHUSETTS-AMERICAN WATER COMPANY

November 16, 2000 Petition to Increase Water Rates

PETITION FOR LEAVE TO INTERVENE

The Town of Hingham, hereby files this motion to intervene and to participate in the proceedings to investigate the November 16, 2000 petition of Massachusetts-American Water Company to increase water rates. This petition is filed:

- On behalf of the Town of Hingham and its citizens, by and through James A. Toomey, Town Counsel, Murphy, Hesse, Toomey & Lehane, LLP 300 Crown Colony Drive, Quincy, MA 02169 and together with Charles Christello, Town Administrator, Town of Hingham, Town Hall, 210 Central Street, Hingham, MA 02043-2761;

- The petition is based on the requested increase of roughly 16 percent in total annual revenues for a grand total of \$1,787,605. This increase will negatively impact the citizens of Hingham by increasing the water rates by approximately \$18.90 per quarter for the average residential customer and approximately \$6.30 for the average monthly customer;

- This petition comes on the heels of a 98.09% water rate increase in May, 1996, which was litigated but ultimately allowed by the Supreme Judicial Court on or about January 12, 2001 (SJC-08201).

- The Town will present evidence that this rate increase is unnecessary and unduly burdensome on the citizens of Hingham, that it cannot meet legal standards in place for allowing this type of rate increase, including the department's regulations providing a formula for the allowed rate of return on equity for water companies, and that certain regulations, whether met or not, may not be legally valid.

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•The Town reserves its rights to appeal any decision of the Department pursuant to G. L. c. 25§5.

Based on the proximity to this previous increase, together with the enormity of the increase, the Town hereby requests the opportunity to intervene and participate in the hearings on this matter. It is the contention of the petitioner that this increase is unnecessary and unduly burdensome on the citizens of Hingham, and the petition should be denied or modified to reflect a more appropriate increase.

Respectfully submitted,

TOWN OF HINGHAM,

By its attorney,

James A. Toomey (BB0#500220)
Murphy, Hesse, Toomey & Lehane, LLP
300 Crown Colony Drive, Suite 400
Quincy, MA 02169
(617)479-5000

CERTIFICATE OF SERVICE

I, James A. Toomey, hereby certify that the foregoing Petition to Intervene was served on the Commission pursuant to its regulations at 220 CMR §1.05(1), and a copy was served on the Massachusetts-American Water Company, 200 Cordwainer Drive, Suite 200, Norwell, MA 02061, Robert Howley, Hearing Officer, Dept. of Telecommunications and Energy, 1 South Station, Boston, MA 02110, and Massachusetts Attorney General's Office, 200 Portland Street, Boston, MA 02114, on the date stated below.

Date:

James A. Toomey